

MINUTES

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

October 3, 2006

A meeting of the City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m., Chairman Harold Sanger presiding. Upon roll call, the following responded:

Present

Harold Sanger, Chairman
Steve Lichtenfeld, Aldermanic Representative
Michael A. Schoedel, City Manager
Mark Zorensky
James Liberman
Debbie Igielnik
Marc Lopata

Absent:

None

Also Present:

Catherine Powers, Director of Planning & Development Services
Jason Jaggi, Planner
Kevin O'Keefe, City Attorney

Chairman Sanger welcomed everyone to the meeting and asked that conversations not take place during the meeting and that all cell phone and pager ringers be turned off. He indicated that he will re-arrange the agenda so that the application for architectural review for 44 N. Brentwood can be heard first, with the more complex applications to follow.

MINUTES – REGULAR MEETING OF SEPTEMBER 18, 2006 PLAN COMMISSION/ ARCHITECTURAL REVIEW BOARD

The minutes of the regular meeting of September 18, 2006 were presented for approval. A discussion took place regarding the lot consolidation of 6615-19 Alamo, which was recommended for approval at the September 18th meeting. Chairman Sanger asked about the status of the lot consolidation, since the remainder of the required approvals for the project were withdrawn by the applicant. Kevin O'Keefe indicated that if a lot consolidation application is denied by the Board of Aldermen, the same or substantially similar application cannot be accepted for a period of one (1) year. (Article 5so.9 of the City's Subdivision Ordinance). The language contained in the last sentence of Page 7 will be amended to read: "Catherine Powers stated it will not be taken to the Board of Aldermen if the

application for lot consolidation is withdrawn.” The minutes were then approved, as amended, after having been previously distributed to each individual member.

Jim Liberman asked when the lots will officially become one lot.

Kevin O’Keefe responded when the Board of Aldermen approve the consolidation and the plat is filed/recorded with St. Louis County and proof of filing is submitted to the City Clerk.

ARCHITECTURAL REVIEW – EXTERIOR ALTERATIONS AND OUTDOOR DINING –
OCEANA BISTRO – 44 N. BRENTWOOD BLVD.

Mr. Fred Powers, project architect and Mr. Paul Pierron, restaurant owner, were in attendance at the meeting.

Catherine Powers explained that this is a request for a new entry vestibule, retaining wall, and outdoor dining. The applicant is proposing exterior changes to the building in association with the operation of a new, upscale seafood restaurant in the existing Tejas space. A new approximate 50 square foot entry vestibule is proposed on the northwest corner of the building with two small water features on each side of the entry door. The exterior material is proposed to be a stone base with copper shingle siding. The standing seam roof will also be made of copper. A new window is proposed on the north elevation to provide additional light into the bar and waiting area. A stone retaining wall on the north side will replace an existing tie wall and will match the entry vestibule base. The applicant is proposing new signage for the building on each elevation. The signage will be raised metal letters with backlit illumination and placed on the existing wood sign board on the Maryland and Brentwood facades. The application states the sign will be approximately 9 square feet which meets the provisions of the Sign Ordinance. At this time, the applicant intends re-utilize the covered outdoor dining area as seasonal seating in conformance with the City’s outdoor dining program. No changes to the structure are proposed. The plans indicate the patio area will contain 10 tables with 36 chairs. The furniture is to be cast aluminum with a natural finish. Catherine indicated that staff’s recommendation is to approve with the conditions that the applicant apply for and receive a sign permit depicting signage that meets the provisions of the Sign Ordinance prior to installation of signage as well as the Annual Outdoor Dining Permit prior to operation of outdoor dining.

Chairman Sanger asked if the restaurant has already changed hands.

Mr. Pierron indicated that Tejas will be closing in 3 months and that he has a contractual agreement in place.

Mr. Powers presented photos of the subject building and a site plan. He explained that they are proposing a 2-foot limestone wall with a stone cap and that the roof will be a standing seam copper roof. He stated the north side will continue as a waiting and landscape area and that two water features are also being proposed as well as new entry doors. He stated new pavers will be installed at ground level at the entryway and new signage will be placed on the west and north elevations. He indicated that the building colors will remain the same.

Mr. Pierron advised the members that discussion regarding the enclosure will come at a later date.

Steve Lichtenfeld asked if there is still an agreement with City Coffee House.

Mr. Pierron replied “yes”; but that it would cease if the area is permanently enclosed.

Chairman Sanger asked Mr. Pierron’s background.

Mr. Pierron indicated that his background is in telecommunications, but that he has two partners who wish to remain nameless at this time who have extensive restaurant experience.

Debbie Igielnik asked Mr. Pierron if he is comfortable with complying with staff’s recommendations.

Mr. Pierron replied “yes”.

Being no further questions or comments, Mark Zorensky made a motion to approve per staff recommendations and with the condition that staff review and approve the materials. The motion was seconded by Steve Lichtenfeld and unanimously approved by the Board.

REZONING, PLANNED UNIT DEVELOPMENT, SITE PLAN REVIEW AND ARCHITECTURAL REVIEW - NEW CONSTRUCTION – MIXED-USE DEVELOPMENT – 7454 FORSYTH

Mr. Jay Case, developer (Orchard Development Group) and Mr. Matthew Kuhl, project architect, were in attendance at the meeting.

Chairman Sanger indicated that the physical arrangement of the members, staff and audio/visual equipment is somewhat different this evening due to some technical problems, but he wanted to be sure everyone could see the portable screen behind him.

On motion by Mike Schoedel, seconded by Mark Zorensky and unanimously approved, the public hearing was open.

Catherine Powers read staff’s memorandum with regard to the rezoning, Planned Unit Development, and site plan review portions of the project, as follows:

The proposed mixed-use project consists of three (3) separate buildings as follows:

Tower Building – the tower building, located at the rear of the site, is 26 stories (or 229-feet in height) containing two stories (31,200 square feet of office) on the 7th and 8th floors. 266,500 square feet of residential condominiums will occupy the remaining upper floors (floors 9 through 26). The lobby is at street level and parking occupies floors 2 through 6.

Terrace Building – the terrace building fronts Forsyth and measures approximately 6 stories (or 77-feet in height) and contains 9,700 square feet of street level retail and 69,000 square feet of residential condominium units.

Loft Building – the loft building, located adjacent to Forest Park Parkway, measures approximately 7-stories (or 79-feet, 4-inches in height) and contains 6,900 square feet

of street level retail on the north end of the building fronting Forsyth and 106,700 square feet of residential condominiums. A portion of this building is also in University City.

The entire project consists of 300 condominium units; 31,500 square feet of office space and 18,200 square feet of retail use. Total square footage of the project including parking and mechanical uses is 780,900. The project features wide sidewalks along Forsyth to support City streetscape and outdoor dining. The project will also feature a turn-around area on Carondelet with public art and seating areas along Forsyth Boulevard. As a result of the Project, 118 caliper inches of trees will be removed with 144 inches being replaced on-site, thereby exceeding the required caliper per caliper replacement requirement.

Compliance with the Master Plan

This project meets the vision of the Business District Master Plan specific to the Ritz Carlton Area, as follows:

Future Function of Area:

“...Given the large amount of undeveloped and underdeveloped property in this Action Area, it represents one of the CBD’s few locations for future large scale office and mixed-use development, including higher density multi-family residential development. This area could also evolve to include additional cultural uses.”

Development Objectives:

- Provide a better link between this area, the retail core, and the rest of the Forsyth Corridor.
- Establish a significant public greenspace.
- Continue quality development consistent with that in the Plaza in Clayton.
- Make provisions for the incorporation of a future Metro Link station in the area.
- Upgrade and incorporate into the Plaza in Clayton project the underdeveloped properties along Forsyth and Hanley.
- Include housing and cultural uses in the range of development types to be accommodated in this area.

Private Actions:

- Consider residential development as an option to existing office/retail development plans.
- Work with the City to determine how a public greenspace could be located along Forsyth.

- When evaluating future development and redevelopment investments, consider Metro Link as one factor that may positively influence economic performance of the property as well as influence its use and design.

The Clayton City Condominium Project meets the requirements of the Master Plan extremely well. It provides a connection to the Metro Link station and is Clayton's first Transit Oriented Development (TOD). The retail along Forsyth will provide interest to pedestrians and streetscape opportunities encourage the public to utilize this greenspace.

Rezoning

Pursuant to Chapter 22A (Overlay and Urban Design Zoning Districts), Article 5a (Clayton Plaza Overlay Zoning District), Section 5a.5 (Planned Unit Development Required), "Any person requesting a building permit involving construction of a new building or structure shall submit an application for a Rezoning to Planned Unit Development District, in accordance with Chapter 22 (Zoning Ordinance).

Planned Unit Development

The Zoning Ordinance specifies that any development in the Clayton Plaza Overlay Zone must secure a Planned Unit Development (PUD) designation.

Additionally, this project seeks to provide relief for Floor Area Ratio (FAR). The base zoning maximum FAR is 3.0 whereas this project has a FAR of 4.02 (excluding garage square footage, as the Zoning Ordinance excludes garage floor area in the FAR calculations).

The public benefits to the City that are intended to be derived from the approval of planned unit developments, include, but are not limited to:

- (a) Garage entryways by virtue of their location, materials and design blend with the architecture of the surrounding neighborhood;
- (b) Architectural distinction and significance that would make the development noteworthy;
- (c) Extensive use of high quality building materials that would add significant value to the property and benefit the adjacent properties;
- (d) Provision of new public infrastructure including, but not limited to streets, curbs, sidewalks, sanitary sewers, storm water sewers, lighting and public parking.
- (e) Leadership in Energy & Environmental Design (LEED) certification from the U.S. Green Building Council to promote sustainable building design and construction including but not limited to sustainable site development, green roofs, water savings, energy efficiency, materials selection and indoor environmental quality.

Site Plan Review

The applicant presented a conceptual plan to the Plan Commission on September 18, 2006. Plans were submitted for staff site plan review on September 22, 2006. On September 15, 2006 staff forwarded a list of deficiencies to the applicant. In addition to the deficiencies, staff required a traffic study be ordered by the City from Crawford, Bunte & Brammeier (CBB), which was received on Thursday, September 21, 2006. Both traffic and parking are discussed in subsections later in this memorandum. Drainage is accomplished by a natural slope and on-site retention and is adequate to assure that a nuisance will not be created. Detention is required and provisions have been made to accommodate this. A trash room is located on the main level of each building.

Landscaping is adequate and tree caliper replacement exceeds removal.

Traffic:

There will be minimal negative impact on traffic as a result of this project per Crawford, Bunte & Brammeier (CBB). Nonetheless, CBB has recommended mitigation to alleviate any impact. These mitigations are primarily changes in striping and lane configuration. Pages 24 & 25 of the Traffic Study performed by CBB ("Attachment A") states as follows:

“The proposed development is anticipated to have a nominal impact on operating conditions. In fact, the only location that would be noticeably impacted would be the intersection of Hanley Road with Carondelet Plaza/Carondelet Avenue. Modifications to the lane configurations and signal operations at that intersection were considered, but found to unsatisfactorily mitigate the impact of the site-generated traffic. Consequently, no improvements at that location are recommended.”

The Traffic Study does recommend some traffic mitigation consisting primarily of striping changes as outlined on Page 25 as follows:

“Improvements at other locations could be implemented through re-striping within the existing pavement. These changes would be warranted based upon base traffic conditions and their need would be exacerbated by the addition of site-generated traffic. To that end, the following improvements are recommended:

- Reconfigure Forsyth Boulevard to provide a continuous five-lane section between Carondelet Plaza/Jackson Avenue and Bland Drive.
- Stripe the northbound Carondelet Plaza approach to Forsyth Boulevard to provide a shared left-turn/thru lane and an exclusive right-turn lane.

Finally, CBB reviewed the impact of this project to the neighbors to the north, particularly as it relates to Jackson Avenue and concluded as follows:

“The City of Clayton Planning and Zoning Commission expressed concerns related to traffic volumes on Jackson Avenue as a result of previous development plans for the subject site. Based upon analyses for this study, it was estimated that proposed development would add approximately 25 vehicles per hour to Jackson Avenue during each peak hour, and delay increases at the intersection of Forsyth Boulevard and Jackson Avenue/Carondelet Plaza would be nominal. Therefore, it is our professional opinion that the proposed development would not have a significant impact on Jackson Avenue.”

Parking:

A total of 618 parking spaces are being proposed on-site; 1.5 spaces for each condominium unit and 1:300 for the office and retail use.

This project has been designed as a Transit Oriented Development (TOD) which relies on Metro Link for transportation. Because of the TOD status, Woolpert’s Parking Study indicates a need for 431 parking spaces; 187 spaces less than the project proposes since the developer is meeting the Zoning requirement for the office and retail portion of the project.

A Parking Study was performed by Woolpert, Incorporated (“Attachment C”). The conclusion by Woolpert is that 431 spaces are needed by this project to assure adequate parking. Woolpert’s Study states:

“Although it is recognized that different cities offer various levels of transit service, justification exists for a reduction in parking for the proposed development. Based on the studies listed above, the minimum reduction in parking demand for Transit Oriented Development has been found to be approximately 20%. Also noted above are references from the ITE Parking Manual indicating that urban developments require less parking than their suburban counterparts. Based on these reports and ITE Parking Manual references, a recommendation is being made for an approximate 20% reduction in estimated parking demand for this TOD. The following table shows the recommended minimum parking and the total parking available for this development.”

| Development | # of Units or Sq. Feet | Recommended Min. Parking Requirements | Total Parking Spaces Required | Parking Spaces Available |
|--------------------|-------------------------------|--|--------------------------------------|---------------------------------|
| Condos | 282 units | 1.17/unit | 330 | |
| Office | 31,077 | 1.92/1,000 sq.ft. | 1:300 | |
| Retail | 16,810 sq.ft. | 2.41/1,000 sq.ft. | 1:300 | |
| | | TOTAL | 431 | 618 * |

***595 excluding handicapped spaces**

Public Benefit

This project has many elements that will have a positive impact upon a parcel of land that has been vacant for over 15 years. This project meets the criteria for a Planned Unit Development by providing the following public benefits:

- a) The provision for City streetscape along the perimeter of the site;
- b) The installation of public art as part of the project;
- c) Upscale retail component;
- d) Extraordinary landscaping and greenspace provisions;
- e) Provision of new public infrastructure including, but not limited to streets, curbs, sidewalks, sanitary sewers, storm water sewers, lighting and public parking;
- f) Inclusion of street level landscape area available for public use; and
- g) Inclusion of special access features or provisions to existing or planned public transit facilities; and
- h) LEED certification.

IMPACT OF PROJECT

In addition to the positive impact upon a parcel of land that has been vacant for 15 years, this project is unique for the City of Clayton and represents a Transit Oriented Development (TOD) utilizing proximity to the Metro Link Station to provide a mixed-use development featuring not only a condominium component, but office and retail in one development.

The public plaza will bring life and excitement to the east end of Forsyth and act as a catalyst for revitalizing the east of Hanley area along Forsyth.

STAFF RECOMMENDATION

To conduct a public hearing and approve the site plan with the following conditions:

1. That a subdivision plat or other mechanism to allow dedication of property be approved prior to the issuance of building permits;
2. That an 11 foot Right-of-Way be dedicated for streetscape per requirements of the Public Works Department;
3. That streetscape be installed per City specifications;

4. That curbs and crosswalks be designed per City of Clayton specifications;
5. That all recommendations by the Traffic Study as contained in the subsection related to traffic be implemented and revised plans for Public Works review be submitted prior to building permit issuance;
6. That the developer work with the City's Art Commission to provide public art for the project. Such art to be approved by the City's Architectural Review Board prior to installation and occupancy permit issuance;
7. That Fire Department access and fire hydrant installation be worked out prior to building permit issuance; and
8. That the developer commit to LEED certification; and

to recommend approval of the rezoning and Planned Unit Development to the Board of Aldermen.

Mr. Case began a PowerPoint presentation. The first slides depicted site photographs and a site plan depicting the 3-building development (terrace building along Forsyth, tower building in the interior of the site and loft building that sits along the private road). He indicated that access to the site is off Carondelet and that parking is housed under the plaza area. He stated some retail parking is at grade level and depicted location of such parking at its access. He depicted the location of the Metro Link Station in relation to the site.

Mike Schoedel asked Mr. Case to indicate the boundary between Clayton and University City.

Debbie Igielnik asked if signage for the Metro Link Station is anticipated.

Mr. Case replied "yes". He stated that their signage proposal has not yet been completed.

Marc Lopata asked if the plaza wall is the same height as was presented at the conceptual review.

Mr. Case indicated that it is still a 10-foot barrier but that it has been changed to provide stairs and landscaping.

Steve Lichtenfeld asked if there is parking underneath the plaza.

Mr. Case replied "yes".

Mark Zorensky asked where retail parking is located.

Mr. Case indicated that there are 104 spaces dedicated for office use that could be used for valet parking in the evening hours.

Marc Lopata asked if visitor parking will be free.

Mr. Case indicated that has yet to be determined. He stated he believes there will be some type of validated system.

Marc Lopata asked if the project will bear a Clayton or University City address.

Mike Schoedel commented that it will have a Clayton zip code, but that the residents living in the units on the University City side of the site will be University City residents.

Mr. Case commented that he has been told that wherever your master bedroom is located, that is where you officially “live”.

Chairman Sanger indicated he believed that to be correct.

Mr. Case indicated that with regard to parking, 40 spaces have been created for retail use with easy access. He stated that he will not rely on the Ritz garage which is underutilized. He stated he believes most retail will be driven by pedestrian traffic and is not anticipating a large volume retail component.

Chairman Sanger asked staff to explain the parking as associated with a Transit Oriented Development (TOD).

Catherine Powers indicated that the Zoning Ordinance calls for parking at a ratio of 1:300 for office/retail and 2 spaces per unit for the condominium units; however, because this is a TOD, the developer is allowed to submit a parking plan and the parking plan submitted for this project indicates the need for 431 spaces. This development is offering 618 spaces; 187 spaces more than suggested.

Jim Liberman indicated that 282 units at 1.5 spaces per unit equals 423 spaces.

Catherine Powers stated that the development could contain up to 300 condominiums.

Chairman Sanger indicated that residents that reside in a TOD typically use the light rail system and have fewer vehicles.

Mike Schoedel asked for clarification that there are no new entrances off Forsyth except the alley.

Mr. Case indicated that is correct. A slide depicting the view from the Metro Link Station was shown. He stated the terrace building will have a 10 foot overhang to protect pedestrians from inclement weather.

Debbie Igielnik asked if any of the building heights have changed since conceptual review.

Mr. Case replied “no”.

Mark Zorensky asked if there is a terrace pool.

Mr. Case replied “yes”. He indicated that the office area will not have access to the pool area. At this time, Mr. Case presented variations of the Carondelet & Forsyth façade of the terrace building.

Slides depicting the heights of the buildings were presented (terrace building: 77'; loft building: 79'; tower building: 290'), providing comparisons with the area buildings (Old Famous Barr building: 62'; Ritz: 176'; Ritz garage: 40'; THF residential tower: 410'; THF office tower: 262').

Chairman Sanger asked if the building is above or below the Parkway.

Mr. Case indicated the building is 40' taller than the Parkway.

At this time, Mr. Case began the sun shadow study presentation, depicting shadows between 9 a.m. and 3 p.m. in 15 minute increments.

Steve Lichtenfeld asked if the entry drive will remain private.

Mr. Case replied "yes".

Steve Lichtenfeld asked how cars will be kept from parking there.

Mr. Case indicated that the City can tow vehicles.

Steve Lichtenfeld indicated that he is still confused where people will park for the retail.

Mike Schoedel asked if Mr. Case believes this will be destination retail.

Mr. Case replied "no"; he believes they will be convenience retail with the exception of the restaurant space. He reminded the members that they are only proposing about 16,000 square foot of retail. Mr. Case then indicated the location of the parking area for retail, deliveries and trash trucks. He stated this will be a heavily staffed operation.

Mike Schoedel asked if Mr. Case anticipates directional signage.

Mr. Case replied "yes"; he stated the project will require a lot of signage. He stated they will have to come up with a system the retailers are comfortable with.

Mark Zorensky asked that the tower height be discussed. He stated that at 26 stories and 290 feet in height, it seem tall. He asked why it is 120 feet higher than the Ritz.

Mr. Case advised the members that economics is definitely dictating the height of the building. He stated that the purchase price has gone up and they need this level of density to make it work. He stated that although he agrees that it is tall and is taller than the Ritz, it is more than 100 feet shorter than the THF residential tower.

Mark Zorensky asked why they could not lower the tower building and increase the height the other two buildings.

Mr. Case indicated that he does not believe they would be marketable if that were done; he stated that if the terrace building were raised, that would impose a parking problem.

Mark Zorensky asked the width of the tower building.

Mr. Case indicated 70 feet.

Mark Zorensky asked if it could be widened.

Mr. Case indicated that he believes it is appropriate size as proposed.

Mark Zorensky stated the tower building is way too tall for the area.

Catherine Powers reminded the members that there is no height limitation for this area.

Marc Lopata commented that he believes if the building were longer (wider), it would be more of a visual obstruction.

Chairman Sanger reminded the members that the old proposal placed the tall building along Forsyth which was a bad idea.

Chairman Sanger asked if there were any public comments.

Ms. Tina Holland, 7611 Shirley, agreed that the building is too tall. She stated that the Ritz is a manageable size, but the THF tower is too tall and asked that consideration be given to lowering the height of the tower building.

Mr. David Bales, 419 Carswold, asked if the alley that is referred to is the Ritz Carlton driveway.

Staff replied "yes".

Mr. Bales indicated that reconfiguration of Forsyth could create chaos at the BP station to the east. He asked that the word "loft" be avoided and asked for a description of the "loft" building.

Chairman Sanger indicated that architectural elements will be discussed during the architectural review portion of the review.

Catherine Powers indicated that other developments (i.e. The Crescent) were considered during preparation of the traffic study.

Marc Lopata asked how the buildings will be phased.

Mr. Case indicated that they will begin construction of the tower first with an estimated completion time of 30 months. He stated the other two buildings will be "filled in" with an estimated completion time of 20 months. He stated he hopes the entire project will be complete in 3 years, but is dependant on the market. He stated that condos will have to be pre-sold.

Mark Zorensky asked if he is committing to all 3 buildings.

Mr. Case replied "yes"; although the market will impact the time frame.

Catherine Powers reminded the members that the Commission first needs to vote on the rezoning to Planned Unit Development (PUD).

Being no further questions or comments regarding the rezoning, Steve Lichtenfeld made a motion to recommend approval of the rezoning to the Board of Aldermen, seconded by Jim Liberman, which motion received the following roll call vote: Ayes: Chairman Sanger, Michael Schoedel, Steve Lichtenfeld, Jim Liberman, Debbie Igielnik and Marc Lopata. Nays: Mark Zorensky.

Marc Lopata made a motion to recommend approval of the Planned Unit Development to the Board of Aldermen. The motion was seconded by Michael Schoedel and received the following roll call vote: Ayes: Chairman Sanger, Michael Schoedel, Steve Lichtenfeld, Jim Liberman, Debbie Igielnik and Marc Lopata. Nays: Mark Zorensky.

A motion was made by Michael Schoedel, seconded by Steve Lichtenfeld to close the public hearing. The motion received unanimous approval.

The site plan was brought up for a vote.

Marc Lopata asked Mr. Case if he anticipated LEED certification for the core and shell.

Mr. Case replied “yes”.

Mark Zorensky asked that a discussion take place regarding the possibility of lowering the tower building by 10%. He stated the building as proposed is too tall.

Mr. Case indicated that he considered the building height very carefully and believes it is appropriate in height.

Steve Lichtenfeld commented that compared to the “old” proposal, he believes middle ground has been found and is comfortable with the building’s location and its north/south direction. He stated he agrees with Marc’s comment that a larger (wider) building would result in more of a visual obstruction and that he is comfortable with its currently proposed height.

Being no further questions or comments regarding the site plan, Debbie Igielnik made a motion to approve the site plan subject to staff’s recommendations (outlined above), seconded by Marc Lopata, which motion received the following roll call vote: Ayes: Chairman Sanger, Michael Schoedel, Steve Lichtenfeld, Jim Liberman, Debbie Igielnik and Marc Lopata. Nays: Mark Zorensky.

The architectural aspects of the project were now up for review.

Catherine Powers explained that the proposed project will be located on a piece of property which has been vacant for many years. The proposed project consists of three (3) buildings - a twenty (26) story mixed-use tower building, a seven (7) story terrace building and a six (6) story loft building.

Mixed Use Tower Building

The proposed mixed use 26-story residential tower consists of five stories of above ground parking, a lobby level, two office levels and approximately 18 levels of residential condominiums. The tower building is located toward the rear of the site

in conformance with Plan Commission recommendation. The material is brown brick with a pre-cast stone base and accents. The windows are silver tone and balconies are a light colored mesh materials. The roof is flat, but the mechanical penthouse will be designed to match the building's exterior.

Terrace Building

The proposed 7-story terrace building will be 77 feet in height. The building will be constructed of a reddish color brick with a pre-cast stone base, terrace and trim. Windows will be grayish in color. A large section following the curve of Carondelet and Forsyth is a large expanse of glass with a stone base. Identification signage and a metal canopy have been added to better distinguish the curved area.

Loft Building

The 6-story loft building will be 70-feet, 4-inches in height. The building will be constructed of a tannish brown brick with a pre-cast stone base and trim. The windows will be grayish in color and terraces will have a mesh railing section. A pre-cast wing wall is shown as an architectural detail.

A turn-around in the middle of the site on Carondelet will feature decorative pavers and will likely be the location for public art. City Streetscape will be installed along Forsyth and outdoor seating for future restaurants will be provided. The site will also feature areas of trees and public seating locations along Carondelet and Forsyth. Signage is shown on the curve of the terrace building, but details are sketchy. Catherine indicated that staff's recommendation is to approve with the following conditions:

1. All conditions contained in site plan review;
2. That a signage package including all signs with specifications be approved by the Architectural Review Board prior to installation of any signage;
3. That restaurants receive a Conditional Use Permit and outdoor dining be approved prior to operating.

Mr. Case presented a color rendering slide and material samples to include (all three brick selections, pre-cast stone panels and roofing material). He indicated that the tower building will be more of an orange color brick to play-off the Ritz building; the brick for the terrace building will be a cranberry color with stone accents to play-off the THF buildings. The tower building will have a limestone trim on the top. The loft building will have a brick façade with banding articulation. He indicated that the wing wall is open for discussion.

Mr. Kuhl stated that the 2'-8" thick wing wall backs up to Forest Park Parkway and will act as a barrier and will shield the loft units from the noise from the Parkway.

Marc Lopata asked if a similar wing wall has been built before.

Mr. Kuhl replied "yes".

Marc Lopata asked if there will be an issue with birds.

Mr. Kuhl replied “no”.

One of the members asked if it (the wall) will shield noise.

Mr. Case indicated that the wall will work very well buffering noise when the units’ windows are closed.

Chairman Sanger asked how much internal light will be seen from the outside.

Mr. Case indicated they will be using non-reflective glass.

Chairman Sanger asked if any residents of Bland and/or Northmoor were in attendance.

There was no response.

Chairman Sanger stated that the residents of Bland and/or Northmoor would be affected the most. He asked that the best method to mitigate internal light from being a nuisance to the neighbors be utilized.

Mr. Kuhl stated that people decorate their units as they see fit and that not all the windows will be “open”.

Steve Lichtenfeld commented that the only way to ensure less light is to cover up the windows or cut down the amount of glass. He stated he assumes residents would use window treatments.

Mark Zorensky asked if exterior lights will be proposed.

Mr. Case indicated that some exterior lighting will be proposed. He stated that they can require uniform window blinds/treatments (i.e. white) if the Board so desired.

Chairman Sanger asked that the exterior lighting discussion continue.

Mr. Kuhl indicated that there will be 14-foot light poles within the plaza, each containing 175 watt bulbs and that the wall mounted sconces will contain 75 watt bulbs.

Mark Zorensky asked if the top of the tower will be illuminated.

Mr. Case stated he has no plans to do that.

Chairman Sanger asked that the exterior lighting be limited to the minimum required by Code and to not allow any decorative lighting.

Mr. Case indicated that the most intensive lighting will be at the retail portion. He stated that the balconies will also be lit, but he believes the Code requires some lighting for balconies.

Chairman Sanger stated he opposes balcony lighting.

Mr. Case indicated that he will do only what the Code requires.

Mike Schoedel commented that he believes the unit owners will want outside lighting; he suggested limiting the location of the lights.

Chairman Sanger stated his goal is to mitigate the light nuisance to the neighbors in the evening/nighttime hours. He asked if the balconies could have floor lights as opposed to ceiling lights.

Mr. Case stated he could do that. He stated he could locate the lights in an unobtrusive place on the balconies.

Marc Lopata suggested also limiting the wattage.

Catherine Powers reminded the members that when exterior lighting for single family residences are considered, 75 watts is the maximum allowed per fixture.

Chairman Sanger asked that public art be discussed.

Mr. Case stated he would agree to a water feature if that is what the City wants.

Catherine Powers commented that a water feature may not count as public art.

Mark Zorensky stated he would prefer a free standing sculpture in front of the green wall.

Debbie Igielnik stated that a mosaic would be beautiful.

Steve Lichtenfeld commented that the green wall now seems forbidding and he believes adding a sculpture in front of it would soften this “harsh” wall.

Jim Liberman suggested tiering and landscaping the steps as opposed to the current stair proposal.

Steve Lichtenfeld indicated the need for something at the base of the terrace building.

Mr. Case indicated that if glass were added at the base, pedestrians would then be looking down at the heads of people inside the building.

Steve Lichtenfeld stated the building needs more “life”.

Mr. Case stated he could carry the glass around.

Marc Lopata asked if they intend to incorporate recycling facilities.

Mr. Case stated they typically do that for the residential facilities.

Mark Zorensky commented that generally, more material samples are presented for consideration. He stated the only samples brought in were bricks, roof and stone. He asked if the stone is cast stone.

Mr. Kuhl replied “yes”.

Mark Zorensky asked if the stonework will be mortared.

Mr. Kuhl stated that is usually up to the owner/contractor.

Mr. Case commented that “construction” drawings are not yet prepared.

A discussion regarding the brick ensued. Mark Zorensky indicated the need to know if the bricks will be laid individually or inlaid in a frame; he questioned if they will be assembled on or off site.

Steve Lichtenfeld stated he does not find the garage portion of the building appealing and suggested re-visiting its design aspects.

Mr. Case indicated that he is not looking to make the project “cheap” and that he brought samples in that he thought were appropriate.

Mark Zorensky indicated the need to see the pavers, windows, crushed granite, etc.

Chairman Sanger stated he is inclined to have the architectural aspects of the project tabled until the next meeting.

Mr. Case commented that he was never asked to bring in window or paver samples.

Chairman Sanger informed Mr. Case that City staff will provide him a list of what to bring to the next meeting. He stated that the Board of Aldermen can consider the rezoning and PUD aspects of the project.

Being no further questions or comments, Steve Lichtenfeld made a motion to table the architectural review portion of the project until the next regularly scheduled meeting of the 16th. The motion was seconded by Debbie Igielnik and unanimously approved by the Board.

At 8:00 p.m. Chairman Sanger called for a 15 minute recess.

The meeting re-convened at 8:15 p.m.

SALE OF CITY OWNED PROPERTY – 6451 CLAYTON ROAD; LOT CONSOLIDATION; SITE PLAN REVIEW/ARCHITECTURAL REVIEW - 6435-51 CLAYTON ROAD

Catherine Powers indicated that on June 30, 2006, the City of Clayton issued a Request for Proposal (RFP) to sell the 26 space surface parking lot at the corner of Clayton Road and Seminary Lane. The Public Works Department has studied this parking lot and concluded that the cost of maintenance is greater than the revenue generated. Additionally, the lot contains no more than 4 to 5 cars at any given time. The RFP for the sale of the lot stipulated that as a condition of purchase, the buyer incorporate the lot into a mixed-use redevelopment project to provide a corner presence. The corner commercial component is required by the Clayton Road Urban Design District Standards. By the July 31, 2006, deadline for submittal, the City received one response. This response was from Opus

Properties Development (OPD), the owner/developer of the adjacent four properties. OPD proposes to purchase the parking lot and integrate it into a mixed-use project consisting of 27 residential condominium units and 9,000 square feet of ground floor retail. The project will be supported by 84 parking spaces on a surface lot for retail use and an underground garage for residential use. This parking lot has been underutilized for a number of years and will have a greater positive impact as part of a redevelopment at this corner. Staff's recommendation is to recommend to the Board of Aldermen the sale of the parking lot at 6451 Clayton Road to OPD.

Chairman Sanger commented that the project review consists of four (4) separate items. He asked if they can be discussed simultaneously and then voted on independently.

Catherine Powers replied yes. Catherine then read the information contained in the remaining three (3) memorandums for the project as follows:

Lot Consolidation – 6435 – 6451 Clayton Road: Consideration of a Minor Subdivision (lot consolidation) Plat for the consolidation of five (5) existing C-2 zoned lots into one (1) C-2 lot to support a new mixed-use residential and commercial building. All of the subject lots are located within the Clayton Road Urban Design District. Lot 13 is owned by the City of Clayton and the remaining four (4) lots are owned by the applicant. The plat, as presented, will consolidate all of Lots 9, 10, 11, 12 and 13 of Block G of the Hi-Pointe subdivision into one lot. The lots, as currently configured, measure as follows: Lot 9, 10, 11, and 12 – 5,600 square feet each, Lot 13 – 9,211 square feet. The combined lot, "Lot 1" will measure 31,611 square feet. Catherine indicated that the consolidation of these lots are a requirement for the approval of this project and staff recommends that the Commission recommend the lot consolidation to the Board of Aldermen.

Site Plan Review: In 2003, Cornerstone Properties submitted an application to the Plan Commission for a Planned Unit Development to allow a mixed use condominium building at the subject property. The proposal involved the sale of the City- owned lot at 6451 Clayton Road and the four (4) adjacent properties to the east. In 2005, an Urban Design District was approved by the Plan Commission and Board of Aldermen which provided standards for new construction for all C-2-zoned properties fronting Clayton Road from Big Bend to the east city limits. Presently, Opus Properties Development, LLC owns the four subject properties (6435, 6443, 6439, and 6447 Clayton Road) and is requesting the sale of the city-owned parking lot to accommodate a 3 ½ story mixed-use condominium building. To date, the developer has sought public input by conducting two (2) neighborhood meetings and presenting a conceptual design to the Plan Commission on July 17, 2006. On August 4, 2006, Schwetye Architects, on behalf of Opus Properties Development, LLC, owner, submitted an application for Site Plan Review for the construction of a mixed use condominium project. On August 24, 2006 staff reviewed the submittal and requested additional information/clarification regarding several items. A letter outlining the issues was sent to the applicant on August 31, 2006. On September 14, 2006 revised plans were submitted for presentation to the Plan Commission.

The proposed mixed-use project consists of one, 3-½ story, 99,888 square foot building (including the garage) with structured parking in the rear. The site is a consolidation of five (5) lots, including the City-owned parking lot at the corner and four multi-family building lots to the east of the corner lot of Seminary Place and Clayton Road. The project will consist of 27 residential units and 8,999 square feet of commercial space. A total of 84 parking spaces are being provided in conjunction with this project (54 residential and 30 commercial). Parking for the residential and

commercial uses of the project meet the Zoning Ordinance requirements. There will be two (2) vehicular access points into the building; one will be located off Seminary Place to provide access to the commercial parking spaces and the second is off the rear alley to provide access to the below-grade residential parking area.

This project meets the visions of the Business District Master Plan, 1993 Page 62, “Action Area #15”, specific to the area fronting Clayton Road, east of CBC (formerly), as follows:

The area east of CBC should continue to provide buildings and sites for office, convenience retail, or service commercial businesses serving the neighborhood and St. Mary’s Hospital and medical center.”

In addition to the Business District Master Plan, the Clayton Master Plan, amended April 25, 1989, also addresses goals specific to the Clayton Road frontage, east of University Lane (now Seminary Place), as follows:

Hi-Pointe/DeMun Area:

- The development of the properties on the north side of Clayton Road east of University Lane has fostered a mixture of land uses. To stimulate future development of the area, a combination of actions would be appropriate. Included would be the public provision of off-street parking as properties become available along Clayton Road.
- New land development should be encouraged, encompassing the 6400 block of Clayton Road and extending to the alley north of Alamo Avenue. Incentives should be provided to encourage the assembling and combination of parcels to provide for a planned mixed-use development for this area.

The project consists of the construction of a 99,888 square foot mixed-use residential and commercial structure (including the underground garage). Commercial parking consisting of 30 spaces is provided at grade, most of which will be covered by the residential units on the upper floors. The below grade level contains 54 parking spaces for the residential units. The garage meets the Zoning Ordinance provisions of two-spaces per unit for parking and 1 space for each 300 square feet of gross floor area for commercial. The proposed building will be 3 1/2 -stories and measure approximately 45-feet in height. Total lot impervious coverage is not limited in the C-2 zoning district. The Clayton Road Urban Design District; however, requires that no more than 30% of the required front yard setback be covered by impervious material. The plans as presented show front yard impervious at 47%. The landscape plan calls for the removal of all trees on the site totaling 259 caliper inches of which 159 inches require replacement. The applicant is proposing a landscape plan with 57 caliper inches of new trees. New street trees are proposed for the tree lawn per Public Works approval. The opportunity for additional trees on the site is limited given the footprint of the structure. The applicant is proposing planter boxes in the front yard containing a mixture of shrubs and perennials. The rear yard contains a 5-foot planting strip containing a mixture of evergreens and Gingko trees. The applicant has proposed a green landscape wall to screen the rear parking which will act as a landscape buffer in the event the alley is widened in the future. The details of this green wall have not been provided. Storm water is shown to be piped to an existing inlet located on the southwest corner of the property. Additionally, in case of heavy rain, the planter boxes have a drain to direct storm water to the sewer.

The applicant is requesting alternative compliance related to two (2) aspects of the Clayton Road Urban Design District as follows:

1. **Building Length.** The Urban Design District limits buildings to a maximum of 165 feet. The proposed structure measures approximately 206 feet in length, a difference of 41 feet. The applicant indicates that the reduction in building height below the maximum of 5-stories and 65 feet and the benefit of filling the site along the street frontage to not create a gap in the existing street wall creates a better solution than the UDD regulation.
2. **Front Yard Impervious Coverage.** The Urban Design District limits front yard impervious coverage to 30% along Clayton Road. The plans indicate front yard impervious coverage to be 47%, a difference of 17%. The applicant indicates the need to provide reasonable access to the commercial storefronts including coach walks from the street.

Staff believes all other aspects of the Urban Design District have been met, including setbacks, screening, and Floor Area Ratio.

The Traffic Study completed by Crawford, Bunte and Brammeier (CBB), dated September 25, 2006, was based on an interim site plan dated June 28, 2006, which depicted 29 residential units and 9,100 square feet of commercial space. The present plan reflects a reduction in two residential units to 27 and a decrease in commercial space by approximately 100 square feet. Both changes should not significantly impact the results of the study.

Forecasted Operating Conditions

“In summary, there will be no noticeable increase in traffic and no significant change in operating conditions due to the proposed development. However, there will be increased turning movements at the intersections of Seminary Place (both sides) between the alley and Clayton Road in order to provide a narrow three-lane section.”

In regards to traffic generated by this project and its impact the adjacent neighborhood, the Traffic Study states the following:

Neighborhood Impacts

“We understand that there is a perception of through traffic in the neighborhood north of the site (presumably avoiding the intersection of Clayton Road with Skinker Boulevard). Although we did not complete any origin-destination studies to quantify the actual level of cut-through traffic, it appears that cut-through traffic is minimal based on the turning movement counts collected at the DeMun Avenue intersections. The eastbound approach of Clayton Road at its intersection with Skinker Boulevard has been reconfigured to allow dual left turn lanes, which has greatly improved operations, shortened queue lengths and reduced the likelihood that traffic will attempt to avoid the intersection by cutting through the residential neighborhood to the north.

“Since the proposed development is not expected to generate a large number of trips, it is not expected to create a noticeable difference in traffic traveling through the

neighborhood. The volume of traffic traveling through the neighborhood as a result of this development is expected to be negligible, although some residents would be expected to visit the retail and restaurant uses.”

The Traffic Study does recommend improvements to lessen any possible impact. These recommendations are on Page 16, under Findings and Conclusions. CBB found that:

- *Given the low traffic volumes, all access for retail customers could be served acceptably at the driveway on Seminary Place. If two exits for the commercial customer parking area are desired, it is recommended that the intersections of the alley with the two driveways be separated by a minimum of 50 feet.*
- *The alley should be widened to a minimum of 20 feet between Seminary Place and the resident parking driveway.*
- *You may wish to restrict vehicles exiting the site onto the alley to turn left only and force them toward Seminary Place by ordinance and posted signs.*
- *The section of Seminary Place between Clayton Road and the alley will have increased vehicle movements. We recommend that the on-street parking in this section be eliminated in order to extend the narrow three-lane section for the entire distance. An alternative plan to provide three lanes and maintain the on-street parking would require widening the pavement, likely on the east side.*

Staff reviewed the recommendations and has the following comments:

- The Public Works Director believes the entrances as proposed provide adequate spacing.
- The applicant indicates the building cannot be adjusted to allow additional alley width due to parking aisle widths and setback issues. Staff agrees that the alley width is a concern and that the applicant should provide an easement to the City which will provide an additional 5-feet for future alley widening if later development makes it necessary, thereby increasing the alley width to 20-feet meeting the recommendation from the Traffic Study. The applicant's plans indicate such an arrangement.
- The City should require signage to restrict exiting vehicles to a **left** turn only to mitigate cut-through traffic through the alley. This would apply to all vehicles exiting the site via the alley. Two-way traffic would remain east of the project site.
- The City has no issues with removing the off-street parking on Seminary Place.

Shadow Study

The Clayton Road UDD requires a Shadow Study be conducted for all new development that exceeds 35-feet in height. The City contracted the services of William Tao and Associates to perform the shadow study. The consultant compared the existing shadow conditions of the buildings

(excluding the impacts of trees or other variables) to the proposed development. The consultants provide the following observations regarding the shadow study:

- 1) All portions of all properties receive direct sun during the course of the year in both the existing and the new condition.
- 2) The Northern residences are impacted by the new structure only in the winter months. Under current conditions, on clear days, direct sunlight reaches the entire back yard for all North residences for the entire day. During winter months, under the proposed construction the majority of the backyard area for each North residence will be in shadow for the entire day. It should be noted that a similar condition would occur if the North residences were to build garages on the rear of their property. It should also be noted that the building has no measurable effect on the diffuse light contribution from the sky dome.
- 3) The North residences will experience approximately a 90-minute delay on winter mornings with respect to daylight striking the south façade of the residence. It should be noted that a similar condition would occur if the North residences were to build garages on the rear of their property or if a residence had evergreen trees approximately 15' or higher in the backyard.
- 4) The East residences experience the same amount of sun and shade during the winter months under both the existing and proposed conditions.
- 5) The East residence back yards receive direct sun for some portion of the yard each day in the spring, fall and summer.
- 6) In the spring and fall, 50% of back yard area of each East residence is in the shade all day under the current condition. Under the proposed condition, the new building will shade the remaining 50% of the yard for the first east residence from 3:00PM until sunset at approximately 6:00PM. The second residences remaining portion of yard will be in complete shade by 4:00PM and the third residence by 5:00PM.
- 7) The North façade of the East residence receives direct sun only in the summer in the morning, and from 5:00PM until sunset under the base condition. Direct sunlight will be blocked from the first East residence from 5:00PM to sunset. The second residence north façade will be shadowed from 6:00PM to sunset. It should be noted that direct sun angles at this time of day are usually considered objectionable.
- 8) All East residence back yards receive full sun in the summer under current conditions. Under proposed condition the first East residence yard will be in full shade by 4:00PM. The second residence yard will be in full shade by 5:00PM. The remaining East residences are essentially unaffected.

The consultant indicates that the proposed building impact may be viewed as minimal during the majority of the year for the majority of the residences. The greatest shadow impacts are to the rear yards of the residences to the north in the winter and the east residences during the spring and fall.

The consultant will be at the meeting to present the shadow study animations and provide a summary of the findings.

Impact of Project

This project provides a mix of uses that is compatible with the residential and mixed-use commercial/residential already in the neighborhood. This type of development is recommended by several planning documents including the Clayton Road Urban Design District, the Clayton Business District Master Plan and the Clayton Master Plan.

Staff is of the opinion that the two requests for alternative compliance to the UDD standards for front yard impervious coverage and building length are reasonable. However, staff would prefer the elimination of the planter boxes in favor of lawn areas which would better meet the intent of the UDD by providing an open appearance along Clayton Road. In considering the provision for building length, if the building were to be limited to the 165 feet as called for in the UDD, there would be an approximate 50 foot void in the building wall between the eastern end of the building and the adjacent property creating an undesirable appearance and requiring additional height for the building. Staff's recommendation is to approve the site plan with the following conditions:

1. The applicant provide an escrow to the City in an amount as determined by the Public Works Department and as to form acceptable to the City Attorney to cover the costs for future alley widening for the portion of the alley immediately adjacent to the subject site prior to the issuance of a building permit.
2. That signage prohibiting *right* turns into the alley from the parking lot be installed.
3. The elimination of on-street parking on University Lane from Clayton Road to the alley.
4. That the applicant pay \$12,000 into the City's Forestry Fund for caliper deficiency or provide additional trees per staff review and approval.
5. That the alternative compliance request be granted to allow the building length not exceed 206'4" as shown on the plans
6. That the alternative compliance request be granted to allow an increase in front yard impervious coverage to 47% with the condition that the planter boxes be removed in favor of landscaped lawns.

Mr. Steve Andert and Mr. Mark de la Fuente with William Tao & Associates began the shadow study presentation. The first slides provided a partial shadow comparison between existing and proposed conditions. Mr. Andert stated the slides depict shadows from sunrise to sunset in 15 minute increments for three periods throughout the year. He indicated that the presentation includes buildings on the adjacent sites but does not include vegetation. The slides depict before conditions on the left and after conditions on the right. He stated that the north residences are separated from the east residences as they are different issues.

Mr. de la Fuente noted that all portions of all properties receive direct sun during the course of the year in both the existing and new condition. He indicated that the biggest impact is in the wintertime as the new building will cast a shadow in the rear yards of the residences to the north. He noted that a similar condition would occur if the residences to the north constructed garages at the rear of their property. The north residences will experience about a 90-minute delay on winter mornings with respect to daylight hitting the south façade of the residence. He noted that a similar condition would occur if the residences to the north constructed garages at the rear of their property or if a residence had evergreen trees approximately 15-feet or taller in their back yard. The residences to the east experience the same amount of sun and shade during the winter months under both conditions (new

and existing). The rear yards of the residences to the east receive direct sun for some portion of the yard each day in the spring, summer and fall. In the spring and fall, 50% of the rear yard areas of each east residence is in the shade all day during the current conditions; however, the new building will shade the remaining 50% of the yard for the first residence to the east from 3 p.m. until sunset at approximately 6 p.m. and the second residences remaining portion of the yard will be in complete shade by 4 p.m. and the third residence by 5 p.m. The north façade of the east residence receives direct sun only in the summer in the morning and from 5 p.m. until sunset under the base condition. Direct sunlight will be blocked from the first east residence from 5 p.m. until sunset. The second residences north façade will be shadowed from 6 p.m. until sunset. (Note: direct sun angles at this time of day are typically considered objectionable). All east residences rear yards receive full sun in the summer under current conditions; under the proposed condition, the first east residence yard will be in full shade by 4 p.m.; the second residence yard will be in full shade by 5 p.m.; the remaining east residences are essentially unaffected. Mr. de la Fuente noted that the impact is greatest for the first east residence when compared to the existing conditions; however, if the construction of identical residential structures on the site were considered and if direct daylight from low western angles is considered objectionable, the residence may view the impact as negligible. For the north residences, the winter shadow affects the yard significantly, but not the residence buildings.

Mr. Tyler Stephens, project architect, was also in attendance at the meeting. He stated he is here to present the DeMun Pointe Project, as it has now been named. He indicated that the development process for this site has been going on for about 4 years and has been reviewed by several groups of individuals; stemming from both the Zoning Ordinance and subsequently, the Clayton Road Urban Design District (UDD) Standards. He indicated that neighborhood meetings have been held; concerns and input received and then incorporated into the design of this proposal. He stated that City staff, too, provided comments. He stated that after conceptual review of the project, more revisions to the plan were made. In summary, four different groups of individuals have been involved with four different needs, and that the client's desires needed to be met. He stated the project is not a regurgitation of a historic building, as it is 2006; not 1906. An overview slide of the entire Clayton Road UDD was presented as well as those buildings encompassing it. A slide depicting a view from the City's parking lot was presented. He stated that the street trees cast a lot of shadow during the winter and summer months. He stated the building's height has been lowered although a 5 story building is permitted in this area; he believes this proposal provides a better solution. A site plan showing the City lot and four adjacent lots to the east was presented (both existing and proposed conditions). Mr. Stephens indicated that the loading and trash areas have been addressed. A 5-foot buffer area at the rear has been provided for possible future alley widening. He stated that pathways leading to the retail portions of the project have been incorporated into the design. He stated the planter boxes, if desired, can be eliminated from the proposal. 84 parking spaces are proposed as part of the project.

Mike Schoedel asked what the City lot provides in terms of this project.

Mr. Stephens indicated that if the City lot were not included, the building (project) would be reduced in size in order to fit on only 4 lots, but that it would be back to 5 stories tall. He stated the main difference would be traffic flow as the retail is served by Seminary Place.

Marc Lopata asked if the condominium residents will have to enter off DeMun.

Mr. Stephens replied "yes" (note this is clarified later in the meeting-see below).

Catherine Powers advised the members that the traffic engineer is in attendance to answer questions pertaining to traffic flow.

Mr. Lee Cannon, traffic engineer with CBB (Crawford, Bunte & Brammeier) stated the traffic study was conducted on behalf of the City. He clarified that the alley is still a 2-way alley, but that exit from the subject site will be restricted to left turns only. He stated that the site could be entered from the east.

Mr. Stephens presented a slide depicting the mass of a 5-story building (what is permitted) and its reduction to the current proposal which includes clipping the corners and a more open penthouse floor. He stated they attempted to conform with the area's existing buildings. He stated the windows of the second floor match those of the adjacent buildings. He stated this building will be about the same height of the former CBC building.

Marc Lopata asked if the height reduction, but an increase in building length is what is being considered "alternative compliance".

Mr. Stephens replied "yes". He stated there are various ways to accomplish an increase in FAR. He stated the proposed building is 20 feet lower than it could be.

Marc Lopata asked if there is a solution to the front yard impervious coverage issue.

Mr. Stephens stated he believes this is the right thing to do. He indicated the incorporation of the pervious paver system into the proposal and that the planter area will hold drainage and slowly dispense it into the storm sewer system.

Marc Lopata asked if there is compensation for the tree loss.

Catherine Powers replied "yes"; at \$120.00 per lost caliper inch.

Mr. Stephens commented that they are not receiving credit for planting street trees.

Steve Lichtenfeld asked if they considered less impervious coverage (hard surface material) at the corner.

Mr. Stephens stated that would not affect the front yard coverage as defined by Code.

Marc Lopata asked about LEED certification for this project, especially for the core and shell configuration.

Mr. Stephens stated that they are interested in pursuing LEED certification.

Ms. Jean Cody, 6431 Clayton Road, asked that the City reject this proposal, which has been in the works for 3 ½ years. She stated the proposal does not meet the goals as set out in the RFP (Request for Proposal). She stated the neighbors have only seen three plans to date and that the building is still too large. She stated it removes landscape, light and air from the corner and the remainder of the block. She stated the project also does not meet the requirements of the Clayton Road UDD Standards and that those Standards, although flawed, are still the law. She stated the shadows adversely impact the

neighborhood and that the “warehouse” architecture is not appealing. She stated the proposal only provides a 5-foot east side yard setback. She stated the project does not provide enough parking. She stated a choice must be made between families or vibrant retail. She commented that the plans do not depict a restaurant although the traffic study mentions a restaurant. She stated the proposed condominium units are not up to Clayton’s standards. She stated the project undermines the resale of the properties to the north instead of protecting it. She stated this project does not work and should be rejected. She stated that she believes the lot consolidation cannot be voted on as the developer does not own the lot.

Mr. Herm Smith, 6633 San Bonita, asked that the sale of the City owned lot be rejected as the parking proposed for the new development is insufficient. He referred to a parking study he personally conducted, stating that the 3,400 square feet of restaurant space proposed as part of the project would be devastating on the neighborhood parking. He stated the plan provides inadequate parking for the commercial component, as his surveys conducted for the neighborhood St. Louis Bread Company, Kaldi’s, Jimmy’s & Sasha’s demonstrate that not even half of the parking required for a successful restaurant component are being proposed. (A copy of the survey is contained in the Plan Commission project file).

Mr. Stephens commented that he does not know where the 3,400 square feet of restaurant space came from. He stated the plans show a 2,800 square foot retail space on the west side of the lobby which is included in the 9,000 square foot total for commercial space. He stated how the commercial space is divided is up to the tenants.

Mike Schoedel commented that all restaurants, no matter what size, require a Conditional Use Permit.

Mr. Cannon commented that his firm conducted a traffic study; not a parking study and that the worst case scenario was figured without an assumption for a restaurant.

Marc Lopata asked how tall the proposed building is and how the height was measured.

Mr. Stephens stated it was measured from average existing grade to the mid-point of the roof (the same as how the City interprets height).

Marc Lopata commented that the UDD calls for a 15-foot step back at 30 feet.

Mr. Stephens indicated that requirement is for buildings that are more than 45-feet in height; this building is not more than 45-feet tall.

Marc Lopata asked if there will be recycling service for the condominium units.

Mr. Stephens replied “yes”.

Marc Lopata asked if breaking up the building was considered.

Mr. Stephens stated if the building were provided with offsets, each would need its own separate elevator and that would lessen the condominium unit space; he stated he does not believe that makes sense.

Jean Cody asked for clarification why there is no step back requirement for this building since it is a 3 ½ story building.

Kevin O’Keefe indicated that language is applied the same as a point of measure and that since the building does not exceed 45-feet in height, the step backs do not fall into place.

Mr. Paul Bridgman, 6310 Alamo, stated the project does not meet the UDD criteria and that the RFP indicates that the UDD criteria be met. He stated he is disappointed with the plan and that the design is not reflective of the pedestrian friendly neighborhood. He stated he believes the shadow study is useless and that traffic studies typically do not evaluate safety issues.

Mike Schoedel commented that it seems that the former CBC building casts more of a shadow than this proposed building would.

Robert & Julia Clemens, 6353 Clayton Road, indicated their support of the project, stating that mixed-use buildings have proven successful. They stated they believe it is a terrific development and urges the City to sell the parking lot.

Ms. Mary McCullen, 6355 San Bonita, indicated her concern regarding the livability of the condominium units and the viability of the commercial component. She stated businesses cannot be successful without customers and these customers need a place to park.

Mr. Joe Wotka, 640 W. Polo with offices at 929 DeMun, recommended the City sell the lot as it is a money drain on the City. He stated this is a fine development and that it is time to direct Clayton to a new horizon.

Chairman Sanger announced that Mr. Wotka owns property east of the subject site.

Ms. Sally Hezel, 6328 Northwood, indicated that success is determined by the way buildings are constructed and that light, air and greenspace are needed. She stated she has concerns with the enforcement of the left-turn only onto the alley out of the project when the alley will still be a 2-way alley.

Chairman Sanger asked staff to elaborate on the UDD Standards.

Catherine Powers indicated that the UDD Standards sets forth specific guidelines but that it is allowable to allow alternate compliance for the length and impervious coverage as is being requested in this case. She stated the applicant is stating that their alternative is as good or better than the strict application of the Standards.

Chairman Sanger asked what the Master Plan sees for this area.

Catherine Powers indicated that both Master Plans (The CBD Master Plan and the City’s Master Plan) saw mixed-use for this commercially zoned area.

Chairman Sanger asked if the area is mostly commercial.

Catherine Powers indicated that Clayton Road has a mix of uses but reminded everyone that it is zoned commercial. She also reminded everyone that the Clayton Road UDD extends all the way to the East City limits.

Chairman Sanger stated it is his intention not to vote for any aspect of this project tonight and thanked everyone for their comments. He reminded everyone that this is a commercial corridor and that he believes mixed-use is appropriate for this location.

Being no further questions or comments, Mike Schoedel made a motion to continue consideration of this project (including the sale of the lot) until the meeting of the 16th. The motion was seconded by Debbie Igielnik and unanimously approved by the members.

Being no further business for the Plan Commission/Architectural Review Board, this meeting adjourned at 10:45 p.m.

Recording Secretary